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PATENT
ATTORNEY DOCKET NO. DERM1100-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rheins and Morhenn Art Unit: 1646
Application No.: 09/375,609 Examiner: S.C. Prasad
Filed: August 17, 1999
Title: METHODS AND KITS FOR OBTAINING AND ANALYZING SKIN
SAMPLES FOR THE DETECTION OF NUCLEIC ACIDS (As Amended)

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,
please find the following:

- (1) Copy of the Response to Request for Corrected Filing Receipt (1 pg)
- (2) Request for Corrected Filing Receipt; (2 pgs)
- (3) Copy of Filing Receipt reflecting changes; (2 pgs)
- (4) Copy of Patent Application Transmittal Letter; (3 pgs)
- (5) Copy of Amendment Filed November 15, 2000 Amending Title; (2 pgs) and
- (6) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>August 23, 2002</u> , in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.	
<u>Aldon Griffiths</u> (Name of Person Mailing Paper)	
<u>Aldon Griffiths</u> (Signature)	<u>August 23, 2002</u> (Date)

In re Application of:
Rheins and Morhenn
Application No.: 09/375,609
Filed: August 17, 1999
Page 2

PATENT
Attorney Docket No.: DERM1100-1

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date:

August 23, 2002

Richard J. Imbra

Richard J. Imbra

Registration No. 37,643

Telephone: (858) 677-1496

Facsimile: (858) 677-1465

USPTO CUSTOMER NO. 28213

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133



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BOX CPA

Prior U.S. Application No. : 09/375,609
 Filing Date : August 17, 1999
 Attorney Docket No. : DERM1100-1
 May 13, 2002
 Page Two

This request includes Three (3) sheets, and the following:

- Preliminary Amendment – Including Exhibits A through I (70 pages);
- Petition for Four (4) Months Extension of Time (2 pages);
- Declaration under 37 CFR § 1.132 (5 pages);
- Check No. 508992 in the amount of \$1,090.00; and
- Return Receipt Postcard.

The entire disclosure of the prior application is considered as being part of the disclosure of accompanying application and is incorporated by reference.

This application is entitled to small entity status. Small entity status from a previous application is still proper. Fees are being paid herein at a small entity rate.

The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	76 - 92	=	0	X	\$09	\$18	=	\$.00	\$.00
Independent Claims	5 - 9	=	0	X	\$42	\$84	=	\$.00	\$.00
Multiple Dependent Claims Presented: ___ Yes ___X___ No					\$140	\$280			\$.00
BASIC FEE								\$370.00	\$740.00
TOTAL FEE								\$ 370.00	

Enclosed is Check No. 508992 in the total amount of \$1,090.00; consisting of \$370.00 for the basic filing fee and \$720.00 for the Four (4) Months extension of time fee. Please apply any other required fees or any credits to Deposit Account No. 50-1355, referencing the attorney docket number shown above.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

GRAY CARY WARE & FREIDENRICH LLP

BOX CPA

Prior U.S. Application No. : 09/375,609
Filing Date : August 17, 1999
Attorney Docket No. : DERM1100-1
May 13, 2002
Page Three

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Please send all correspondence to:

Lisa A. Haile, J.D., Ph.D.
Gray Cary Ware & Freidenrich LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

May 13, 2002



Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

LAH/EJV:ag
Enclosures



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#83
9/23/02

PATENT
ATTORNEY DOCKET NO. DERM1100-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rheins and Morhenn Art Unit: 1646
Application No.: 09/375,609 Examiner: S.C. Prasad
Filed: August 17, 1999
Title: METHODS AND KITS FOR OBTAINING AND ANALYZING SKIN
SAMPLES FOR THE DETECTION OF NUCLEIC ACIDS (As Amended)

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please change the title to read as follows —**METHODS AND KITS FOR OBTAINING AND ANALYZING SKIN SAMPLES FOR THE DETECTION OF NUCLEIC ACIDS (As Amended)**—. Also please change the Docket No. to —**DERM1100-1**—.

Applicant accordingly requests the correction be made of record.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>August 23, 2002</u> , in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.	
<u>Aldon Griffis</u> (Name of Person Mailing Paper)	
<u>Aldon Griffis</u> (Signature)	<u>August 23, 2002</u> (Date)

In re Application of:

Rheins and Morhenn

Application No.: 09/375,609

Filed: August 17, 1999

Page 2

PATENT

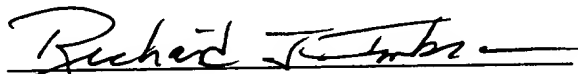
Attorney Docket No.: DERM1100-1

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date:

August 23, 2002



Richard J. Imbra

Registration No. 37,643

Telephone: (858) 677-1496

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USPTO CUSTOMER NO. 28213

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/375,609	08/17/1999	LAWRENCE A. RHEINS	DERM1100-1

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CONFIRMATION NO. 5338



OC000000008492494

LISA A. HAILE
GRAY CARY WARE & FRIEDENRICH
4365 EXECUTIVE DRIVE SUITE 1600
SAN DIEGO, CA 92121

Date Mailed: 07/22/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Title of Invention

In response to your request for a corrected Filing Receipt, the Office cannot comply with your request because:

- ☐ The articles such as "a," "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new," "improved," "improvement of," "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- ☐ Superscript and subscript are not possible. These characters will appear on the same line.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☒ The title of the invention was captured as provided by applicant on the first page of the specification. An amendment is needed to make this change.

Nepa / European
Customer Service Center
Office of Initial Patent Examination
(703) 308-1202

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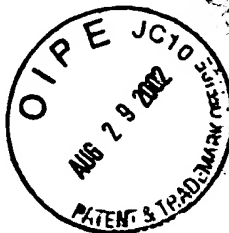
JUL 26 2002

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 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/375,609	08/17/1999	1646	2777	09373/002001	2	63	8

 LISA A. HAILE
 GRAY CARY WARE & FRIEDENRICH
 4365 EXECUTIVE DRIVE SUITE 1600
 SAN DIEGO, CA 92121


CONFIRMATION NO. 5338

CORRECTED FILING RECEIPT



OC00000008155136

Date Mailed: 05/20/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 LAWRENCE A. RHEINS, ESCONDIDO, CA;
 VERA B. MORHENN, LA JOLLA, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/097,025 08/18/1998

Foreign Applications

If Required, Foreign Filing License: Granted 09/02/1999

CPA filed on: 05/13/2002

Projected Publication Date: 08/29/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHOD FOR DETECTION OF BIOLOGICAL FACTORS IN EPIDERMIS

 METHODS AND KITS FOR OBTAINING AND ANALYZING SKIN
 SAMPLES FOR THE DETECTION OF NUCLEIC ACIDS (AS AMENDED)

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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O] 858-677-1456
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May 13, 2002

Box CPA
Commissioner for Patents
Washington, DC 20231

Re: Attorney Docket No. DERM1100-1

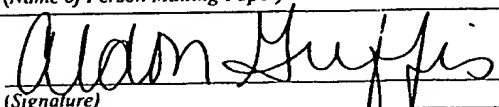
This paper is a request for a Continued Prosecution Application under 37 C.F.R. § 1.53(d) of:

Applicants : Lawrence A. Rheins and Vera B. Morhenn
Title : METHODS AND KITS FOR OBTAINING AND
ANALYZING SKIN SAMPLES FOR THE DETECTION
OF NUCLEIC ACIDS (As Amended)

Prior U.S. Application No. : 09/375,609
Filing Date : August 17, 1999
Attorney Docket No. : DERM1100-1

The prior application was complete as defined by 37 C.F.R. § 1.51(b).

This request for a CPA is the reference to the prior application noted above as required by 35 U.S.C. § 120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein. The prior application is currently on Appeal. Please enter the Preliminary Amendment submitted herewith.

CERTIFICATION UNDER 37 CFR §1.10	
"EXPRESS MAIL" Mailing Label Number: <u>EV 016 236 622 US</u>	
Date of Deposit: <u>May 13, 2002</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Box CPA, Commissioner for Patents, Washington, D.C. 20231.	
Aldon Griffis (Name of Person Mailing Paper)	
 (Signature)	May 13, 2002 (Date)

SILICON VALLEY SAN DIEGO SAN FRANCISCO AUSTIN SEATTLE SACRAMENTO WASHINGTON, DC